

RECEIVED

JAN 15 2020

Monty P. Milbourne,
Petitioner

AT 8:30 M
WILLIAM T. WALSH
CLERK

Civ. No. 20-0012 (NLH)

v
Richard Smith,
Respondent

Judge Noel C. Hillman, U.S.D.J.

TODAY JANUARY 10, 2020, I RECEIVED NOTICE BY THE CLERK, OF THE UNITED STATES DISTRICT COURT THAT ON JANUARY 8, 2020, PETITIONER, WAS GRANTED TO PROCEED IN FORMA PAUPERIS IN 28 U.S.C. § 2241, Milbourne v. Smith, NO. 20-0012 (D.N.J.) FILED JAN. 2, 2020) ECF NO. 1, SIGNED BY YOU JUDGE HILLMAN.
THANK YOU VERY MUCH JUDGE HILLMAN.

Respectfully, *[Signature]*
Monty P. Milbourne
Cumberland County Jail

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
0601	S	2019	002018
COURT CODE	PREFIX	YEAR	SEQUENCE NO.

BRIDGETON JOINT MUNICIPAL COURT
330 FAYETTE ST
BRIDGETON NJ 08302-0000
856-451-7565 COUNTY OF: CUMBERLAND

of CHARGES 1 CO-DEFTS POLICE CASE #:

COMPLAINANT NAME: MONTY MILBOURNE

THE STATE OF NEW JERSEY
VS.
SHERIFF PALMA
ADDRESS: 60 WEST BROAD STREET
BRIDGETON NJ 08302-0000

DEFENDANT INFORMATION
SEX: EYE COLOR: DOB:
DRIVER'S LIC. #: SOCIAL SECURITY #: SBI #: DL STATE:
TELEPHONE #: ()
LIVESCAN PCN #:

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 11/14/2019 in BRIDGETON CITY, CUMBERLAND County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE FOLLOWING OFFENSE: "ON THIS SAID DATE 11/14/19 THURSDAY MORNING AT THE CUMBERLAND COUNTY COURT HOUSE AFTER COMING OFF THE ELEVATOR FROM COURT, SHERIFF PALMA EXCESSIVELY WITH FORCE UNNECESSARY GRABBED ME WHILE DOUBLE HANDCUFFED AND SHACKLES ON MY ANKLES AND PROCEEDED TO VIOLENTLY MOVE ME TO THE HOLDING AREA OPENED THE DOOR AND AGGRESSIVELY WITH FORCE THREW ME TO THE GROUND INJURING MY NECK AND BACK IN WHERE I HAD TO GO TO HOSPITAL. CAMERA'S WILL VERIFY THIS. THE DEFENDANT IS A SHERIFFS OFFICER AT THE CUMBERLAND COUNTY COURTHOUSE, 60 W. BROAD ST". LOCATION: CUMBERLAND COUNTY COURT HOUSE, HOLDING AREA/BULLPEN. OFFENSE: 2C:12-1A(1).

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AT 8:30 M
WILLIAM T. WALSH CLERK

in violation of:

Original Charge	1) 2C:12-1A(1)	2)	3)
Amended Charge			

GERTIFICATION I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: 

Date: 12/10/19

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF SUMMONS

Probable cause IS NOT found for the issuance of this complaint:

Signature of Court Administrator or Deputy Court Administrator

Date

Signature of Judge

Date

Probable cause IS found for the issuance of this complaint-summons:

Signature of Judge

Date

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Municipal Court

in the county of: CUMBERLAND

at the following address: BRIDGETON JOINT MUNICIPAL COURT

330 FAYETTE ST

BRIDGETON

NJ 08302-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest:

Appearance Date: 12/02/2019 Time: 01:00PM Phone: 856-451-7565

Signature of Person Issuing Summons:

Date:

Domestic Violence - Confidential

Related Traffic Tickets or Other Complaints

Serious Personal Injury/ Death Involved

Special conditions of release:

- No phone, mail or other personal contact w/victim
- No possession firearms/weapons
- Other (specify):

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

JANUARY 10, 2020

Judge Noel L. Hillman,
U.S.D.J.

Judge Hillman,

ON NOVEMBER 14, 2019, I WENT TO COURT IN THE CUMBERLAND COUNTY COURTHOUSE 60 WEST BROAD STREET IN BRIDGETON N.J. 08302. I APPEARED IN ROOM #324 IN FRONT OF JUDGE D'ARRIGO. MY COUNSEL WHO HAS PRIOR TOLD ME THAT JUDGE D'ARRIGO WAS PAYING HIM JUST TO APPEAR IN COURT WITH ME AND MAKE SURE I SIGN TRIAL PAPERS TO BE FOUND GUILTY, WAS IN COURT THAT DAY. WHEN I WENT BACK DOWNSTAIRS THROUGH ELEVATOR, I TOLD SHERIFF PALMA, SHERIFF, OF THE CUMBERLAND COUNTY COURT HOUSE, 60 WEST BROAD STREET BRIDGETON, N.J. 08302, THAT I WOULD LIKE TO GO BACK TO THE JAIL, BECAUSE THIS LAWYER IS BEING PAID BY THIS PARTIAL JUDGE THAT HAS HELD ME FOR 2 YEARS ON AN INVALID, VOID, NOT FILED, NO TRUE BILL INDICTMENT ACCUSATION. SHERIFF PALMA, PALMA TOLD ME "YOU ARE GOING UPSTAIRS". AND I SAID, I JUST WANT TO GO BACK TO THE JAIL. SHERIFF PALMA RULLED ME OUT OF THE CHAIR I WAS SITTING IN, WHILE I WAS DOUBLE HANDCUFFED AND BOTH LEGS SHACKLED DRAGGED ME TO THE HOLDING CELL OPEN THE DOOR, AND FORCIBLY THREW ME TO THE FLOOR HARD. I, BEING HANDCUFFED, COULD NOT BRAKE MY FALL. I WAS HURT BAD IN MY LOWER BACK, THIGH, HIP, AND NECK. THIS WAS ON CAMERA, AND I WAS SEEN BY 4 WITNESSES THAT SAW THIS. INSPIRA HOSPITAL FROM VINELAND N.J. CAME AND PUT ME ON THE GURNIEY AND TOOK ME TO THE HOSPITAL WHERE I STAYED FOR ABOUT 4 HOURS TAKING CATSCANS

Vitals, and IV, and asked questions. I still could not walk to put pressure on my back and hip so I was put in a wheel chair and taken back to the Cumberland County Jail. When I got there, still in excruciating pain in a wheel chair and not being able to walk, I was for some reason medically cleared by a doctor who wasn't even at the jail. This was around 5:00 PM Thursday 11/14/19. The neck brace that was given to me by the hospital was taken from me, and instead of keeping me on the medical unit, I was taken to B-Pod, Room #2019 in the wheel chair (camera) will show this. I was wheeled to Room #2019, and was told to get up. I couldn't! So they started to pull on me to get me up and I screamed in pain. They stood me up, I fell back in wheel chair in pain. The officers picked me up and instead of them putting me on the bunk, they put me on the floor! Camera shows this. I stayed on the floor in pain for 25 hours! Officers called the nurse several times 11/15/19, Friday, they came and laughed at me with officers. I showed where I urinated and defecated on myself, and they smelled it and still left me on the floor without taking me to medical for monitoring or back to hospital, or even help me on the bunk. From 5:30 PM Thursday up until 6:45 PM I was on the floor in Cell #2019 in excruciating pain and the camera saw it. At about 6:45 PM after moving out of the door on my back so the camera could fully see me so someone could help me or take me off the floor to medical or to the hospital, out in the opening I layed on my back with officers laughing at me. At this time officers Luciano, Anderson, Andujar, Terres, and Sgt. Hines, By orders from Lt. Martinez, forcefully with excessive force moved me upside down (pick me up upside down) pulled on me and took me by force and handcuffed me, muzzled me, then threw me in the cell #2019 with handcuffs still on me with mace in my face shutting the door. (Camera shows this) I was left in my room for about 5 minutes before they took handcuffs off, and mace.

I was in agonizing excruciating pain. Officer Carter and Holden were nice enough to pick me up to put me on the bunk as I screamed in pain. Was never taken to medical or to the hospital at all, and still was being clear by Dr Diaz when I was in excruciating pain. (In conspiracy to cover them for moving me with a back injury.) They gives false threatening charges, and was given 45 days lockup! (In Room 3019) I layed in my bunk not being able to move (they kept me in R-POD #3019, medical nor custody did nothing for me even though I wrote 62 requests, and 54 medical requests!) I urined in my bed, defecated on myself, couldn't wash my body, threw up blood, defecates blood. Medical knew this because if you look at the camera from 11/14/19 all the way up to now January 10, 2020, every day, nurses come inside my room in the morning and night to give me Tylenol. THE WARDEN AND Deputy WARDEN AND MEDICAL NEVER PUT ME ON A MEDICAL UNIT PURPOSELY! THE Deputy WARDEN Charles Warren knows OFFICERS HAS THREATEN TO KILL ME, SHOT ME, PUNCH ME IN THE FACE, HARM ME, WRITE FALSE CHARGES ON ME, ASSAULT ME, AND STILL AFTER I SAID I'M AFRAID FOR MY LIFE AND SAFETY, THAT THE OFFICERS AND SUPERVISORS IS GOING TO KILL ME OR HARM ME HE'S STILL LEFT ME HERE WITHOUT TRANSFERRING ME. Maliciously, He is not letting me out of my room! He ordered that I'm not allowed to come out of my room for nothing. (I can't use the phone, take a shower, laundry, get visits etc. etc.) He has taken my mail, Read my mail, and has been giving me Styrofoam Trays (someone told me don't eat it, someone, an OFFICER SPIT IN IT.) THE Deputy WARDEN HAS LOCKED ME IN A ROOM WITHOUT CAUSE VIOLATING MY 8TH AMENDMENT RIGHTS OF DUE AND UNUSUAL PUNISHMENT AND 14TH AMENDMENT DUE PROCESS. OFFICERS IS EVEN SAYING THIS. I'M AFRAID FOR MY LIFE. I'M AFRAID THEY ARE GOING TO KILL ME HERE AT THE CUMBERLAND COUNTY JAIL. PLEASE CAN YOU HELP ME TO BE TRANSFERRED?

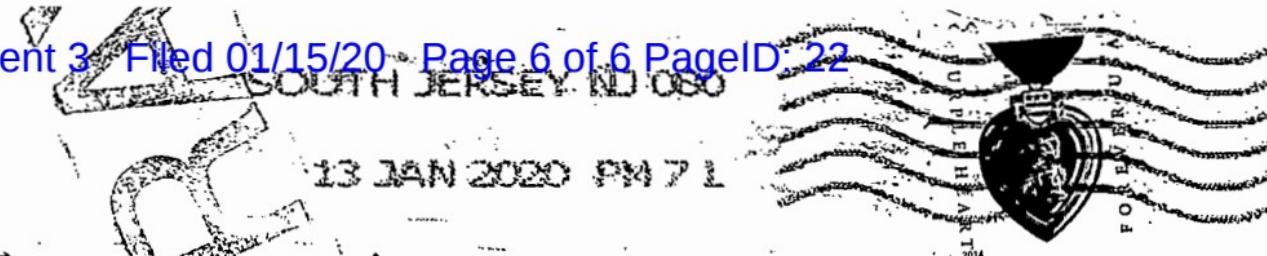
#46305
Thank You, Monte P. Mc

Monty P. Mcbourne
R-POD #3019

Note: Everywhere I go I'm in a wheelchair 11/14/19, 11/15/19

Monty P. Milbourne Case 1:20-cv-00012-M
Cumberland County Jail
54 WEST BROAD ST.
Bridgeton, N.J. 08302

Case 1:20-cv-00012-NLH Document 3 Filed 01/15/20 Page 6 of 6 PageID: 22



Court Clerk of
United States District Court
P.O. Box 2797 RE
Camden, N.J. 08101 J.

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AT 8:30
WILLIAM T. WALSH M
CLERK

"Legal."
"MRI"

GB101-279797